

## Message Text

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ORIGIN ARA-10

INFO OCT-01 ISO-00 L-02 PPT-01 SCA-01 SEC-01 JUSE-00

CIAE-00 INR-07 NSAE-00 SS-15 NSC-05 /043 R

DRAFTED BY ARA/CEN/CR:MMBOVA:HLB

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R 071443Z MAY 75

FM SECSTATE WASHDC

TO AMEMBASSY SAN JOSE

C O N F I D E N T I A L STATE 106165

E.O. 11652: GDS

TAGS: PFOR, PGOV, CS

SUBJECT: VESCO LETTER TO AMBASSADOR TODMAN

REF: SAN JOSE 9958

1. PASSPORT OFFICE HAS PROVIDED FOLLOWING COMMENT WITH REGARD TO CITIZENSHIP QUESTION RAISED IN VESCO LETTER:  
.,DEPARTMENT IS NOT AWARE OF ANY ACTION TAKEN BY MR. VESCO WHICH HAS AFFECTED HIS U.S. CITIZENSHIP IN ANY WAY. RENUNCIATION OF U.S. CITIZENSHIP CAN BE EFFECTED ONLY BY TAKING AN OATH OF RENUNCIATION BEFORE A DIPLOMATIC OR CONSULAR OFFICER OF THE UNITED STATES IN THE FORM PRESCRIBED BY THE SECRETARY OF STATE. ANY ATTEMPTED RENUNCIATION IN ANY OTHER MANNER IS IN AND OF ITSELF VOID AND OF NO EFFECT.,

2. THE S.E.C. HAS PROVIDED THE FOLLOWING COMMENTS ON THE VESCO LETTER: (1) WITH REGARD TO VESCO CLAIM THAT IF THE USG OBTAINED HIS EXTRADITION TO THE U.S. ON ANY BASIS IT WOULD PROCEED WITH OTHER CHARGES ONCE HE WAS THERE, THE  
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S.E.C. STATES THAT THERE IS NO EVIDENCE WHATSOEVER TO

SUPPORT ALLEGATION. THE S.E.C. SAYS THIS ISSUE WAS  
RAISED WITH JUSTICE AND JUSTICE NEVER CLAIMED THAT IT

WOULD TRY VESCO ON ANY CHARGE OTHER THAN THE ONE FOR WHICH  
HE WAS EXTRADITED, (2) WITH REGARD TO VESCO'S CLAIM THAT  
THE JACKSON COMMITTEE IS "IN ESSENCE" SEARCHING FOR ANY  
MOTIVE THAT WILL PERMIT A NEW REQUEST FOR EXTRADITION, THE  
S.E.C. COMMENTS THAT THIS IS NOT TRUE AND ASKS VESCO TO  
REPEAT WHAT WAS SAID IN FACT AND NOT "IN ESSENCE," (3)  
WITH REGARD TO VESCO'S CLAIM THAT THE 224 MILLION DOLLARS  
S.E.C. ACTION IS A CIVIL CASE RELATING ONLY TO PURPORTED  
NON-COMPLIANCE WITH S.E.C. REPORTING RULES, THE S.E.C.  
COMMENTS THAT THE CASE DOES NOT REPEAT NOT RELATE ONLY TO  
PURPORTED NON-COMPLIANCE, RATHER IT ALLEDGES CLEAR  
VIOLATION OF THE ANTI-FRAUD PROVISIONS AND RELATES PRINCIPALLY  
TO FRAUD. THE S.E.C. STATES THAT WHILE IT IS NOT  
A CRIMINAL CASE IT DOES ALLEDGE MISAPPROPRIATION OF FUNDS,  
(4) WITH REGARD TO VESCO'S ALLEGATION THAT THE USG HAS  
FAILED TO ESTABLISH EVEN A MINIMAL "PRIMA FACIE" CASE  
AGAINST HIM, THE S.E.C. CLAIMS THIS IS NOT TRUE AND POINTS  
OUT THAT A PRELIMINARY INJUNCTION WAS HANDED DOWN IN  
SEPTEMBER OF 1973 AGAINST VESCO AFTER A HEARING BEFORE THE  
U.S. DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW  
YORK. THE S.E.C. NOTES THAT OBVIOUSLY A "PRIMA FACIE"  
CASE WAS MADE SINCE A PRELIMINARY INJUNCTION WAS ISSUED,  
(5) WITH REGARD TO VESCO'S STATEMENT THAT HE DOES NOT FEEL  
OBLIGATED TO TRAVEL AROUND THE WORLD TO PROVE HIS INNOCENCE,  
THE S.E.C. POINTS OUT THAT MR. VESCO WAS PROPERLY  
SERVED IN BOTH THE CIVIL AND THE CRIMINAL CASES AGAINST  
HIM AND THAT, HE HAD EVEN PARTICIPATED IN THE FORMER CASE.  
HE THEN RAN AFTER HAVING BEEN PROPERLY SERVED.

3. THE DEPARTMENT OF JUSTICE HAS NOT PROVIDED THE  
DEPARTMENT WITH ANY COMMENTS RELATING TO THE VESCO LETTER.  
JUSTICE IS CURRENTLY STUDYING THIS ISSUE. KISSINGER

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
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**Draft Date:** 07 MAY 1975  
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**Disposition Approved on Date:**  
**Disposition Authority:** GolinoFR  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
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**TAGS:** PFOR, PGOV, CPAS, CS, US, (VESCO, ROBERT)  
**To:** SAN JOSE  
**Type:** TE  
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